

1 Margo Piscevich, NV Bar No. 0917
Mark J. Lenz, Esq., NV Bar No. 4672
2 Piscevich & Fenner
499 West Plumb Lane, Suite 201
3 Reno, Nevada 89509
Tel: (775) 329-0958
4 Fax: (775) 329-2666
Attorneys for DEFENDANTS

5
6 **U.S. DISTRICT COURT**
DISTRICT OF NEVADA
7

8
9 ANDREA MCNULTY,

Case No.

10 Plaintiff,

11
12 v.

13 HARVEYS TAHOE MANAGEMENT COMPANY,
INC., a Nevada Corporation; HARRAH'S
14 ENTERTAINMENT, INC., a Delaware
Corporation; HARRAH'S OPERATING
15 COMPANY, INC., a Delaware Corporation;
DOES I – XXX, AND ABC CORPORATIONS A-
16 Z; inclusive,

17 Defendants.
18

19 **Notice of Removal**

20 **TO: U.S. DISTRICT COURT FOR THE DISTRICT OF NEVADA:**

21 Defendants HARVEYS TAHOE MANAGEMENT COMPANY, INC., HARRAH'S
22 ENTERTAINMENT, INC., and HARRAH'S OPERATING COMPANY, INC. submit their "Notice of
23 Removal" as follows:

24 The grounds for removal are:

25 1. On July 8, 2010, Plaintiff filed her Complaint in the Second Judicial
26 District Court of the State of Nevada, Case No. CV10-02059. Plaintiff served the Summons and
27 Complaint on Defendants on November 4, 2010. A true and correct copy of the Summons and
28

1 Complaint is attached hereto as **Exhibit "1."**

2 2. Plaintiff's Complaint alleges she was and is a resident of Nevada.
3 Defendants are citizens of Nevada and Delaware; however, Defendants are informed and believe
4 and therefore assert that Ms. McNulty is not at present a resident of Nevada, and was not at the
5 time of filing.
6

7 3. Defendants are informed and believe that the amount in controversy
8 exceeds \$75,000, exclusive of interest and costs.

9 4. 28 U.S.C. §1332 confers original jurisdiction on the district courts in all
10 actions arising between citizens of different states, where the amount in controversy exceeds
11 \$75,000, exclusive of interest and costs. Accordingly, this court has jurisdiction.

12 5. The Summons and Complaint attached hereto are the only pleadings that
13 have been filed in this action. Defendants' response is due December 6, 2010, pursuant to
14 Fed.R.Civ.P. 81(c)(2)(C).
15

16 **WHEREFORE** Defendants respectfully request that this action be removed to this Court and
17 placed on the docket of this Court for further proceedings as though originally instituted in this
18 Court.

19 Dated this 23rd day of November, 2010.

20 PISCEVICH & FENNER

21 By:

22 

23 Mark J. Lenz

24 Attorneys for Defendants
25
26
27
28

1 **CERTIFICATE OF SERVICE**

2 Pursuant to FRCP 5(b), I hereby certify that I am an employee of PISCEVICH &
 3 FENNER and that on this date I caused to be served a true and correct copy of the document
 4 described herein by the method indicated below, and addressed to the following:

5 Document Served:

Notice of Removal

6 Person(s) Served:

7 Calvin R. X. Dunlap
 8 P.O. Box 3689
 537 Ralston Street
 9 Reno, Nevada 89505

____ Electronic Filing
 ____XX____ Hand Deliver
 ____ U.S. Mail
 ____ Overnight Mail
 ____ Facsimile (775)

10
 11 DATED this 24th day of November, 2010.

12 
 13 Beverly Chambers
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28